

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: Bhushan Patwardhan and Arvind H. Kapadi) I hereby certify that this paper and the attached
Serial No. 10/074,146) papers are being deposited with the United States
Filed: February 11, 2002) Postal Service as first class mail in an envelope
For: WITHASOL AND METHODS OF) addressed to:
USE) Assistant Commissioner for Patents
) Washington, DC 20231, on this date
Date 1/29/03 *Karyn Massie*
Karyn F. Massie

FEB 06 2003

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2/19/03TRANSMITTAL LETTER

Commissioner for Patents
Box IDS
Washington, D.C. 20231

Sir:

Enclosed herewith for filing are the following documents:

- (1) Information Disclosure Statement;
- (2) PTO - 1449 Form;
- (3) International Search Report'
- (4) Cited References; and
- (5) Return Postcard.

The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 03-3975. A duplicate of this sheet is enclosed.

Respectfully submitted,
PILLSBURY WINTHROP LLP

Dated: 1-28-03

11682 El Camino Real, Suite 200
San Diego, California 92130
Tel: (619) 234-5000

By *Robert M. Bedgood*
Robert M. Bedgood, Ph.D.
Registration No. 43,488



Atty. Docket No. 059012-0282083

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re PATENT APPLICATION OF

)
Patwardhan, B. and Kapadi, A.

)
Appn. No.: 10/074,146

)
Filed: February 11, 2002

)
Title: WITHASOL AND METHODS OF
USE

)
Atty. Docket No.: 059012-0282083

Examiner: NYA

Group Art Unit: 1632

Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence along
with any paper referred to as being attached) is
being mailed to Addressee by service of the
United States Postal Service addressed to the
Commissioner of Patents and Trademarks, U.S.
Patent and Trademark Office, Washington, D.C.
20231

By: Karyn F. Massie
Karyn F. Massie

Date: 1/29/03

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents
Box IDS
Washington, D.C. 20231

Sir:

Attached is Form PTO-1449 listing the enclosed citations submitted in
compliance with the duty of disclosure as defined in 37 C.F.R. §1.56.

Contingent Request Under Rule 97(c): Should a first action on the merits have
been issued on the same day or before this Information Disclosure Statement is filed, please
accept this Information Disclosure Statement under Rule 97(c) and charge the requisite Rule
17(p) fee to our Deposit Account No. 03-3975, under the above Attorney Docket No., and
proceed to consider this Information Disclosure Statement.

This IDS is intended to be in full compliance with the rules, but should the
Examiner find any part of its required content to have been omitted, prompt notice to that
effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant
to comply fully.

In accordance with 37 C.F.R. 1.97(h), the filing of the Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the standards of materiality defined in C.F.R. 1.56(b), enacted March 16, 1992, and may merely be technical background which may be of interest to the Examiner.

In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

It is believed by the undersigned that no fee is required pursuant to 37 C.F.R. § 1.97. However, the Commissioner is hereby authorized to charge any fee required to the deposit account identified in the attached "Authorization to Pay and Petition for Acceptance of Any Necessary Fees" to cover this fee.

Consideration of the foregoing and enclosures plus the return of a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609 are earnestly solicited along with an early action on the merits.

Respectfully submitted,

PILLSBURY WINTHROP LLP



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AUTHORIZATION TO PAY AND PETITION FOR ACCEPTANCE OF
ANY NECESSARY FEES

If any charges or fees must be paid in connection with the foregoing communication (including but not limited to the payment of an extension fee or issue fee), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment may be respectively paid out of, or into, our Deposit Account No. 03-3975 under Reference No.: 059012-0282083

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Respectfully submitted,
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FEB 05 2003

FORM PTO 1449 (modified)
 To: U.S. Department of Commerce
 (PW FORM PAT-1449)
 Patent and Trademark Office

Atty. Dkt. No.	Client Ref. No.	Matter No.
059012	0282083	

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**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

Date: January 29, 2003

Page **1** of **1**

Applicant: Patwardhan, et al.

Appln. No.: 10/074,146

Filing Date: February 11, 2002

Examiner: Unknown Group Art Unit: 1632

U.S. PATENT DOCUMENTS

Examiner's Initials*		Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR	6,153,198	11/2000	Ghosal			7/13/1999
	BR	5,494,668	02/1996	Patwardhan			7/11/1994
	CR						
	DR						

FOREIGN PATENT DOCUMENTS

		Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract	Translation Readily Available
						Enclosed	No Enclose No
	ER						
	FR						
	GR						

OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

HR	Bhattacharya, et al., "Antioxidant activity of glycowithanolides from <i>Withania somnifera</i> ", <u>Indian Journal of Experimental Biology</u> , (March, 1997), Vol. 35, pp. 236-239.	Y	
IR	Budhiraja, et al., "Biological Activity of Withanolides," <u>Journal of Scientific & Industrial Research</u> , (November, 2000), Vol. 59, pp. 904-911.	Y	
JR	Ghosal, et al., "Immunomodulatory and CNS Effects of Sitoindosides IX and X, Two New Glycowithanolides from <i>Withania somnifera</i> ," <u>Phytotherapy Research</u> , (1989), Vol. 3, No. 5, pp. 201-206.	Y	
KR			
LR			

Examiner

Date Considered:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.